

Remarks

The Amendments

Claims 15-17, 19-21, and 23-29 have been withdrawn without prejudice as being drawn to a non-elected invention.

Claims 18 and 22 have been amended to recite that the monoclonal antibody is the monoclonal antibody of claim 1.

Amendments to the claims are made without prejudice and do not constitute amendments to overcome any prior art or other statutory rejections and are fully supported by the specification as filed. Additionally, these amendments are not an admission regarding the patentability of subject matter of the canceled or amended claims and should not be so construed. Applicant reserves the right to pursue the subject matter of the previously filed claims in this or in any other appropriate patent application.

The Restriction Requirement

The Examiner asserts that an election is necessary between invention groups I, II, III, IV, V, and VI because the claimed inventions are allegedly “distinct, each from the other.” In response, Applicant hereby elects, with traverse, Group I claims (claims 1-14), drawn to an antibody that binds a nucleic acid molecule having a 2'-deoxy-2'-fluoro Uridine nucleoside and/or nucleotide and a method of making a monoclonal antibody that binds a 2'-deoxy-2'-fluoro Uridine nucleoside and/or nucleotide, for prosecution on the merits. Applicant notes that upon allowance of a product claim, the withdrawn process claims will be rejoined in accordance with the provisions of MPEP 821.04 and the restriction requirement will be withdrawn. Process claims that depend from or otherwise include the limitations of the patentable product will be entered as a matter of right.

If the Examiner has any questions regarding this response, he is invited to call the undersigned attorney.

Respectfully submitted,

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